

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

KOREY FARMER, Individually and for Others Similarly Situated, Plaintiff, v. TJ INSPECTION, INC., Defendant.	§ § § § § § § § § §	Case No. 5:22-cv-00066-DAE
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AGREED MOTION FOR COLLECTIVE ACTION NOTICE

Korey Farmer (“Plaintiff”), and TJ Inspection, Inc., (“Defendant”) (collectively, the “Parties”), file this agreed motion for collective action notice under the Fair Labor Standards Act. The Parties agree to notice of the lawsuit to be sent to the following collective pursuant to 29 U.S.C. § 216(b):

Current and former inspectors employed by TJ Inspection, Inc., who did not have a guarantee of at least four days of their day rate during at least one week in the three years prior to the Court’s Order granting notice (the “Putative Collective Members”).

By agreeing to notice, Defendant is not limiting or waiving any defenses, including but not limited to that it is not liable for all or part of any alleged damages that Plaintiff or any Putative Collective Members claim to have incurred. Moreover, Defendant does not waive its rights to argue that any other lawsuit against it under the FLSA or any similar state or local law is not properly maintained as a collective or class action, and that Defendant’s inspectors or other employees are not “similarly situated” for purposes of any such subsequent matter.

The Parties have attached, for Court approval, their proposed forms for notice to the Putative Collective Members, consent to join, and text message and email notification. *See* Exhibit 1.

The Parties have further agreed to and propose the following schedule:

DEADLINE	SUBJECT
21 days from order approving notice to Putative Collective Members	Defendant to provide to Plaintiff's Counsel in Excel (.xlsx) format the following information regarding all Putative Collective Members to the extent Defendant has this information in its possession: full name; last known address(es) with city, state, and zip code; last known e-mail address(es) (non-company address); last known personal phone number; and beginning date(s) and ending date(s) (if applicable) during which the Putative Collective Member was employed by Defendant as an inspector and did not have a guarantee of at least four days of their day rate during the three years prior to the Court's Order granting notice.
30 days from order approving notice to Putative Collective Members	Plaintiff's Counsel shall send a copy of the Court-approved Notice and Consent Form to the Putative Collective Members by First Class U.S. Mail and by text message and email. Plaintiff's Counsel shall inform Defendant of the date on which such Notice and Consent Form is mailed.
45 days from mailing of Notice and Consent Forms to Putative Collective Members	The Putative Collective Members shall have 45 days to return their signed Consent forms to Plaintiff's Counsel for filing with the Court.

The Parties respectfully request that the Court enter the attached order allowing notice to the above described collective and approving the attached forms for notice and consent to join.

Dated: July 5, 2022

Respectfully submitted,

Plaintiff

Defendant

By his attorneys,

By its attorneys,

/s/ David I. Moulton

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CERTIFICATE OF SERVICE

In accordance with the Federal Rules of Civil Procedure, I hereby certify that on July 5, 2022, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system which will send notice of this filing to all counsel of record.

/s/ David I. Moulton

David I. Moulton